

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 30TH MARCH 2007 / 9TH CHAITHRA 1929

WP(C).No. 31306 of 2004(B)

PETITIONER:

**SADANANDAN M.K., MANAKULAMPARAMBIL
HOUSE, P.O.POTTORE, TRICHUR,
(ASSISTANT ENGINEER, SUGANDHAGIRI CARDAMOM
PROJECT, VAITHIRI, WAYANAD).**

BY ADV. SRI.P.RAMAKRISHNAN.

RESPONDENTS:

- 1. THE STATE OF KERALA, REPRESENTED BY
THE SECRETARY TO GOVERNMENT,
DEPARTMENT OF CO-OPERATIVE SOCIETIES,
THIRUVANANTHAPURAM.**
- 2. THE JOINT REGISTRAR OF CO-OPERATIVE
SOCIETIES (GENERAL), KALPETTA,
WAYANAD.**
- 3. THE SOUTH WAYANAD GIRIJAN JOINT
FARMING CO-OPERATIVE SOCIETY NO. C.2301,
REPRESENTED BY ITS MANAGING DIRECTOR,
VYTHIRI P.O.**

**BY ADV. SRI.M.K.DAMODARAN,
SRI.P.K.VIJAYAMOHANAN,
GOVERNMENT PLEADER SRI. BASANT BALAJI.**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 30/03/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

W.P.(C). NO.31306/2004:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE COMMUNICATION DTD. 25/05/2004 ISSUED BY THE R.3. TO THE PETITIONER.

EXT.P.2: COPY OF THE ORDER DTD. 30/05/2001 IN ARC 3/93 PASSED BY THE R.2.

EXT.P.3: COPY OF THE ORDER DTD. 24/12/2001 IN O.P. NO. 38988/01 OF THIS HONOURABLE COURT.

EXT.P.4: COPY OF THE ORDER DTD. 18/09/2003 ISSUED BY THE R.2.

RESPONDENT'S EXHIBIT:

EXT.R3.A: COPY OF THE RESOLUTION NO. 14 DTD. 16/06/1991 OF THE EXECUTIVE COMMITTEE OF THE SOCIETY.

//TRUE COPY//

prv.

KURIAN JOSEPH, J.

W.P.(C) No.31306 of 2004

Dated 30th March, 2007.

J U D G M E N T

Petitioner claims that he is entitled to continue till he attains the age of 58 years, under the third respondent. The second respondent has filed a counter affidavit stating that the petitioner is entitled to continue upto 58 years. The third respondent has taken the stand that the resolution of the society [Ext.R3(a)] stipulated retirement age as 55 years and that resolution is taken as early as in 1991. It is also stated that the society is not functioning and that the same is under liquidation. Thus it is fairly clear that the petitioner has to invoke the supervisory jurisdiction of the second respondent. There will be a direction to the second respondent to look into the case of the petitioner with notice to the petitioner and the third respondent and take appropriate action thereon in accordance with law, within a period of one month from the date of production of a copy of the judgment along with an appropriate representation by the petitioner.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J

O.P.No. of 2002

J U D G M E N T

Dated 30th March, 2007.